

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIM. CASE NO. 2:21-cr-180-ECM
	)	(WO)
HENRY WATER GLASS	)	

**MEMORANDUM OPINION and ORDER**

Now pending before the Court is the Defendant's motion *in limine* to exclude "any statement, argument, evidence or testimony before the jury concerning Mr. Glass's prior felony convictions, with the exception of the stipulated fact that he has been convicted of a felony prior to allegedly possessing the firearm identified in the indictment." (Doc. 70 at 1). Relying on *Old Chief v. United States*, 519 U.S. 172 (1997), the Defendant has agreed to stipulate that he has been convicted of a felony and that he knows he is a felon. (Doc. 70 at 1). The United States has filed nothing in opposition to the motion *in limine*. Accordingly, it is

ORDERED to the motion *in limine* (doc. 70) is CONDITIONALLY GRANTED to the extent that the Defendant stipulates that he has been convicted of a felony and he knows that he is a felon. To the extent that the Defendant's prior convictions may be relevant or material at trial, and may thus become admissible, the motion is DENIED without prejudice with leave to raise the issue at trial.

DONE this 26th day of August, 2022.

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/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE